

REMARKS

Prior to filing this paper, claims 27, 28, 31-36, and 38-52 were pending. By way of the present response, claim 36 is amended to correct a minor informality, withdrawn claims 50-52 are canceled without prejudice or disclaimer, and new claims 53-61 are added to provide coverage for subject matter Applicant has a right to pursue. Accordingly, claims 27, 28, 31-36, 38-49 and 53-61 are currently pending. Applicant reserves the right to pursue the subject matter of withdrawn claims 50-52 in a divisional application.

Claims 27, 35, 36, 41-43 and 48 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 6,510,453 to Apfel et al. in view of the paper entitled: "Turning in to the Internet," by Kellee Harris, and further in view of U.S. Patent No. 5,105,184 to Pirani et al.; and claims 28, 31-34, 38-40, 44-46 are rejected under 35 U.S.C. § 103(a) as allegedly being obvious over the Apfel patent, the Harris paper, and the Pirani patent in further view of U.S. Patent No. 5,513,254 to Markowitz. Applicant continues to traverse these rejections for the reasons given in the Request filed on January 14, 2010. Those arguments are hereby incorporated herein by reference in their entirety.

In view of the decision by the Patent Office issued on February 26, 2010, instructing that an appeal in this matter proceed to the Board of Appeals, the undersigned respectfully requests a personal interview to obtain the review panel's reasons why they considered the pending rejections proper under the law. It is further requested that this interview be scheduled and conducted prior to issuing further action on the merits in this matter. It is respectfully requested that the Examiner contact the undersigned at the number provided below to arrange a time for this meeting.

New claims 53-61 are supported by the original specification and drawings. Accordingly, no new matter is introduced by this amendment. Additionally, new claims 53-61 are believed patentable at least because none of the applied art teaches, suggests or otherwise renders obvious features of independent claim 53 related to establishing an agreement with the sending party to include an advertisement in communications transmitted from the data processing machine, and that an advertisement associated with a product installed on the data processing machine associated with the sending party, or to a subscription to a service to be used by a data processing machine associated with the sending party is embedded in a communication from the sending party to a receiving party.

For all the foregoing reasons, Applicant requests withdrawal of all the pending rejections of the claims and allowance of this application without further delay.

Further, while no fees are believed to be due, the Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-4525.

Respectfully submitted,

/Donald R. Stuebaker/

Donald R. Stuebaker

Stuebaker & Brackett PC

11911 Freedom Drive, Suite 750

Reston, Virginia 20190

(703) 390-9051 Main

(703) 390-1277 Fax